

**IN THE DISTRICT COURT OF HOLT COUNTY, NEBRASKA**

**THE STATE OF NEBRASKA,**  
Plaintiff,

vs.

**ROCK A. CLOSSON,**  
Defendant.

Case No. CR03-2

**JUDGMENT OF PROBATION**

**DATE OF SENTENCING:** April 21, 2003.

**APPEARANCES:**

For plaintiff: Thomas P. Herzog, Holt County Attorney.  
For defendant: Thurman Gay with defendant.

**THIS CASE CAME ON FOR SENTENCING.** The Court finds that the defendant was adjudged guilty of the charge(s) of Possession of a Firearm by a Felon, a Class III felony, on February 24, 2003. Allocution had: defendant showed no sufficient reason why sentence should not be pronounced.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the defendant is hereby sentenced to Probation for a period of 30 months from and after the commencement of probation under the supervision of a State Probation Officer. The term of probation shall be deemed to commence upon the first to occur of the following: (1) defendant's acceptance in writing of the conditions of probation, (2) the expiration of 30 days from the date of entry of this judgment if no appeal is taken, or, (3) the entry of judgment upon the mandate of the appellate court if appeal is timely perfected within 30 days after the date of entry of this judgment. As conditions of probation, the defendant shall:

1. Not violate any laws, and refrain from disorderly conduct or acts injurious to others.
2. Report to your probation officer in person as required by the probation officer, at such reasonable times and places to be fixed by the probation officer. If the defendant is arrested or cited for any violation of law, report such arrest or citation to the probation officer by the next working day.

3. Truthfully answer questions and allow the probation officer to visit you at all reasonable times and places. Generally cooperate with the reasonable requests of the probation officer for information. Show ordinary business courtesy toward the probation officer.
4. Obtain permission from this court or the probation officer before any change of address or employment.
5. Not have possession of any firearms, ammunition, or illegal weapons. Not be personally present with anyone who has possession of any firearms, ammunition, or illegal weapons.
6. Submit, from time to time, to any reasonable search and seizure of premises, person or vehicle, with or without probable cause, by or upon request of the probation officer or any law enforcement officer.
7. Not apply for any hunting permits or licenses.
8. The defendant shall perform 400 hours of community service within one year after the commencement of probation and shall provide written verification of such completion from the agency or agencies to the probation officer by such date. Within 60 days after commencement of probation, the defendant shall propose one or more suitable and qualified agencies for whose benefit the service is to be performed, which shall be subject to the approval of the probation officer. Not more than 13 months after the commencement of probation, the probation officer shall file written notice with the court clerk of the total number of verified hours of community service performed by the defendant, which shall be used to determine the jail credit specified below.
9. The defendant is sentenced to 167 days, less 1 day credit for time served before sentencing, in the Holt County Jail, to be served on consecutive days commencing on November 1, 2004, as follows:
  - A. The jail sentence is not subject to waiver.
  - B. The defendant shall be entitled to a credit against the jail sentence of ten hours for each hour of community service timely performed and verified as required by condition 8 above. Such credit would allow the defendant to fully satisfy the jail sentence by full and timely performance of the community service requirement.
  - C. The sentence is subject to reduction under Neb. Rev. Stat. § 47-502. Assuming no good time for which defendant is eligible is lost, the defendant

must serve 112 days, less one day credit for time served before sentencing, the sentence before mandatory release.

- D. Commitment to the Holt County Jail shall issue at least 10 days prior to the scheduled commencement date by the clerk of the court, under seal, in form to be submitted by the county attorney.
  - E. The defendant shall appear and surrender to the sheriff for execution of sentence at the time for commencement of this portion of the sentence. Failure to appear and surrender shall constitute a violation of probation, with such consequences as may be imposed by law, and may further result in a separate prosecution for the crime of Failure to Appear, with a separate and additional penalty, and may also result in the issuance of a bench warrant.
- 10. No restitution was sought by the plaintiff.
  - 11. Pay to the clerk of the sentencing court the costs of prosecution taxed in the amount of \$\_\_\_\_\_, to be paid by November 1, 2003.
  - 12. The defendant has provided his own defense counsel.

**IT IS FURTHER ORDERED AND ADJUDGED** that during the term of this probation, the Court, upon application of the probation officer or the defendant, or upon its own motion, may modify or eliminate any of the above conditions or add further conditions.

BY THE COURT:

---

William B. Cassel, District Judge

I hereby accept probation and agree to abide by all the conditions of probation ordered by the court. Any violation of the above conditions is cause for revocation of my probation and may result in a sentence to confinement and/or other authorized punishment. I do hereby waive extradition to the State of Nebraska if, at the time of my apprehension, I am in another state. If probation supervision is transferred to another state, I do hereby agree to abide by additional rules and regulations that may be imposed by the receiving state.

I received a copy of the above judgment on \_\_\_\_\_, 2003.

---

Defendant